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REMARKS/DISCUSSION OF THE ISSUES

Claims 1, 4, 11-13, 15-20 and 24-25 are presently pending in the captioned application. Claims 1, 12, 15, 24 and 25 are independent claims.

Allowable Subject Matter

The Office Action indicates that objected-to claims 5, 6, 19 and 20 contain allowable subject matter. Claims 5 and 6 have been rewritten in independent form as claims 24 and 25. It is respectfully submitted that in view of the present amendment, claims 24 and 25 are now in condition for allowance. For reasons set forth herein, claims 19 and 20 are also believed to be patentable over the applied art.

Rejections Under 35 U.S.C. § 102(e)

Claims 1, 4, 15-18 and 23 were rejected under 35 U.S.C. § 102(e) as being unpatentable in view of *Spitzer, et al.* (U.S. Patent No. 6,483,740). In view of the present amendment, this rejection is moot.

Claims 1 features: "a conductive line arranged in a second layer, located above the first layer, said conductive line comprising: *a first portion of said conductive line extending in a first direction, which is parallel to the bit lines, wherein said first portion does not cross said bit lines; and a second portion that extends in a second direction, which is orthogonal to the first direction, and said second portion passes across the bit lines at a plurality of locations.*"

Claim 15, drawn to a method for designing an integrated circuit includes a similar feature.

It is respectfully submitted that the reference to *Spitzer, et al.* lacks at least the referenced features of claims 1 and 15. To this end at Fig. 11 and at column 12, lines 55-50, *Spitzer, et al.* discloses serpentine word lines 1102 that coincide with the

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vertical access lines 1104. This configuration includes significant overlap of the word lines 1102 with the vertical access lines 1104 in both the parallel and perpendicular directions. This will result in significant and deleterious cross-talk.

In sharp contrast, the first portion of the conductive line 106 which is parallel to the bit lines **does not cross the bit lines**. Hence, the reference to *Spitzer, et al.* lacks at least one of the features of independent claims 1 and 15. As such, and for at least this reason, claims 1 and 15, and the claims that depend directly or indirectly therefrom are patentable over the applied art.

Rejections under 35 U.S.C. § 103(a)

Claims 8, 11 and 21 were rejected under 35 U.S.C. § 103(a) relying on the combination of Applicant's admitted prior art discussed above, in view of *Spitzer, et al.*

Claims 8 and 21 have been cancelled. Claim 11 depends from newly added claim 24, which is allowable for at least the reasons set forth above. As such, these rejections are moot.

Conclusion

In view of the foregoing amendments, it is respectfully submitted that all pending claims are allowable. Withdrawal of all rejections and objections is respectfully requested.


In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact William S. Francos, Esq. (Reg. No. 38,456) at (610) 375-3513 to discuss these matters.

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Petition is made for a one-month extension of time, extending the period of response from February 21, 2004 to March 22, 2004. Permission is hereby given to charge Deposit Account 50-0238 for the fee required for a one month extension of time under 37 C.F.R. §1.17. If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees, including, but not limited to, fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted on behalf of:
Oki Electric Industry Company, Ltd.


by: William S. Francos (Reg. No. 38,456)

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